

PROCEEDING MEMO

Date: 10/10/2018 10:00 am

In re: Mark Bleier and Darlene Bleier

Bankruptcy No. 18-21259-CMB
Chapter: 13
Doc. # 24

Appearances:

Movant(s): ~~Winnecon/ Rait/Katz~~ DeSimone

Respondent(s): Brian C. Thompson; ~~Kevin S. Frankel; Laurence A. Mester; Jill Locnikar; William Craig; Michael C. Mazack;~~

Creditor(s): Keri Ebeck
O'Donnell
Pecarchick

Nature of Proceeding: Contested Plan Hearing re: # 24 Plan Dated April 27, 2018

Additional Pleadings: #32 Objection to Confirmation by Bayview Loan Servicing LLC; #36 Objection to Confirmation of Plan by Capital One Auto Finance; #40 Objection to Confirmation by the U.S.A. Department of Treasury, IRS; #41 Objection to Confirmation by Credit Acceptance Corporation; #42 Objection to Confirmation by Upper St. Clair School District & Upper St. Clair Township; #59 Amended Objection to Confirmation by Select Portfolio Servicing, LLC; #60 Conciliation Conference Minutes

Judge's Notes:

Thompson: 2017 returns filed and accepted. 2016 returns mailed. Still awaiting W2s. Remaining years to be filed by end of month.

Outcome:

Court: need to have estimated taxes paid. Estimated taxes to be paid for 2018 and draft of tax return or some form to be forwarded to Locnikar before end of month.

___ Motion is GRANTED ___ Order Entered

___ Motion is DENIED ___ Order entered

___ Motion WITHDRAWN

___ Motion is DISMISSED ___ Order entered

___ Reschedule for Proper Service

___ Case DISMISSED ___ Order entered

___ Parties to submit Order/Settlement/Stipulation by ___ days

___ CONTINUED MATTER: ___ for at least ___ days (Court to Issue Order)

___ ISSUE EVIDENTIARY HEARING NOTICE

___ Discovery time needed ___ days

___ Briefs to be filed: Movant(s) brief due ___ days
Respondent(s) brief due ___ days
Trustee's brief due ___ days

Underfunded plan. Large arrears on mortgage. Need to pursue loan mod.

Hope with tax returns complete, can pursue that.

Once tax returns done by end of month, can try to get into LMP and can file amended plan to go along with amended claim by IRS. Everything hinges on tax returns being completed.

DeSimone: presently showing over \$3,000 in arrearage.

Locnikar: only issue is tax returns and estimated taxes. Updated claim usually filed pretty fast if directly given to insolvency unit.

Ebeck: adversary pending to cram down

O'Donnell: Amended plan must account for POCs filed.

Amended plan to be filed by December 20. Conciliation on Jan 31st at 10am.

Debtor must file tax returns or case will be dismissed.

Carlota M. Böhm
U.S. Bankruptcy Court

FILED
10/12/18 9:46 am
CLERK
U.S. BANKRUPTCY
COURT - WDPA